

Meeting Summary

Day 1: June 8, 2012 (10:00 a.m.– 12:00 p.m. PDT)

1. Welcome and Introductions

The teleconference was called to order at 10:01 a.m., June 8, 2012, by the Chair of the Delta Independent Science Board (ISB or the Board), Dr. Richard Norgaard. One member of the Board was present: Jeffrey Mount. Seven members attended by phone: Brian Atwater, Elizabeth Canuel, Tracy Collier, Edward Houde, Judy Meyer, Richard Norgaard, and John Wiens. Vince Resh was absent.

None of the Board members reported new conflicts or disclosures.

Delta Science Program (DSP) Staff in attendance: Peter Goodwin, Marina Brand, and Joanne Vinton.

2. Discuss and finalize review of the Final Staff Draft Delta Plan (action item)

Board members reviewed the Final Staff Draft of the Delta Plan individually and sent their comments to Norgaard, who compiled them into a [memo](#) for the Delta Stewardship Council. Board members recommended that Norgaard edit the memo to remove all use of “I” (first person) and to synthesize the comments. Board members recommended that the following sentence be moderated by changing “not well-founded” to “not decided” (or some other phrase):

“Most experts believe that implying trophic cascades that have major food-web effects related to ammonium levels, which have impacted fish communities and the delta smelt in particular is *not well-founded*” (pages 3-4 of the memo)

Board members agreed with the comment about Appendix C (page 17 of the memo), which questions placing limits on the number of restoration areas. Several members thought this limitation was short sighted and may preclude adaptive management.

The Board voted to approve the memo with edits that Norgaard will make. Norgaard will send the final draft to Delta Science Program staff by the close of business on June 12 for formatting and transmittal to the Delta Stewardship Council.

Public Comment

Greg Zlotnick, consultant for the State and Federal Contractors Water Agency—Referring to comment 39: Science in the Delta (page 3 of the memo), Zlotnick said that many scientific questions in the Delta (such as effects of nutrients and ammonium) are controversial, so all should be listed. He suggested use of another phrase, such as “not fully resolved.”

Mark Rentz, Director of Regulatory Affairs, Association of California Water Agencies—Rentz agreed with Zlotnick regarding use of the word “controversial.”

Tina Cannon Leahy, California Assembly Committee on Water, Parks and Wildlife—Leahy said that the word “controversial” is helpful to policymakers and that they need to understand what is and is not best available science. She encouraged Board members to use the word when they feel it is needed.

Dr. Valerie Connor, State and Federal Contractors Water Agency—Connor said that the Final Staff Draft Delta Plan is not up-to-date with respect to the latest scientific literature and that she

will provide more recent journal articles. She indicated that the operating permits held by the State and Regional water boards are based on the impact of ammonium on diatoms which is supported by the Delta Science Program (DSP). She urged the Board to be consistent with the DSP. She asked about the comment period for the Plan, which ends June 13.

3. Bay Delta Conservation Plan (BDCP)

a. Discuss and finalize the memo on integrating BDCP science and providing chapter summaries in the draft BDCP EIR/EIS (action item)

The Board discussed its [memo](#) to Jerry Meral, Deputy Director, California Natural Resources Agency, and Dale Hoffman-Floerke, Deputy Director, Delta and Statewide Water Management, California Department of Water Resources, titled "Initial recommendations for integrating BDCP science and for improving the reviewability of draft BDCP documents." Board members recommended that "collaborative" be changed to "integrated" in the sentence:

"We encourage BDCP to strengthen Delta science as a truly *collaborative* enterprise"
(page 2 of the memo)

Board members also decided to add "and other ongoing science" to the end of the sentence:

"Such rebuilding could become a lasting and positive effect of a BDCP process that integrates with existing Delta science programs, including IEP and DSP" (page 2 of the memo)

The Board approved the memo with the amendments.

Public Comment

Greg Zlotnick, consultant for the State and Federal Contractors Water Agency—Zlotnick said that it would be useful to indicate in the memo that the Board expects all science in the Delta to be integrated and that BDCP and other agencies need to be included in the development of the Science Plan.

Mark Rentz, Director of Regulatory Affairs, Association of California Water Agencies—Rentz agrees that Delta science should be coordinated and integrated and added that this should include making scientific conclusions. He thinks that research priorities also need to be set to answer the management questions that decision-makers are facing.

Dr. Valerie Connor, State and Federal Contractors Water Agency—Connor said that the public water agencies are not comfortable with the idea of Delta science, as described in the BDCP, being organized under the Interagency Ecological Program (IEP) because IEP staff do not have time to hold workshops and take public comment, and struggle with the idea that the water agencies' research is real science. The water agencies are comfortable with Delta science being organized under the DSP. Connor asked the Board to add a statement about developing a process for stakeholder input.

Response to Public Comments

Regarding Zlotnick's comment about integrating Delta science, Collier agreed, and stated that it should be included in the memo.

Regarding Rentz's comment, Norgaard said that it was a good comment but it is more appropriately placed in the Delta Science Plan rather than the memo.

Regarding Connor's comment, Norgaard said that these issues do not belong in this memo but rather in the Delta Science Plan.

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The memo was approved as amended.

b. Discuss BDCP review and potentially assign key chapters of the BDCP Administrative Draft EIR/EIS to Delta ISB members

Goodwin explained the new pages 4-5 of the [Draft Charge](#) for the Delta ISB review of the BDCP Draft EIR/EIS. The pages were developed based on Board members' comments during their May 3-4 meeting. Goodwin asked if the table on page 5 accurately shows the chapters that individual Board members would like to review. He also asked if the engineering aspects of the EIR/EIS should be considered in detail or more broadly, for example:

- Is the number of intakes appropriate?
- Which is a better option, tunnels or a canal?
- Does the engineering make sense?

Goodwin suggested that the Board assign primary and secondary reviewers in teams of three to each BDCP Draft EIR/EIS chapter.

Board members agreed that they all will need to read the first four chapters to understand the rest of the Draft EIR/EIS, even if they do not formally review them. They asked Goodwin to add a column to the table for consulting companies or other experts. They also talked about reviews of chapters not listed in the table. Chapters on energy and land use, for example, could be important. Board members will send Norgaard their preferences for chapters to review and whether they will be primary or secondary reviewers. Norgaard and Goodwin will discuss the results.

Board members said that the questions on page 3 of the charge are excellent.

Board members discussed starting review of the BDCP Administrative Draft EIR/EIS. Delta Science Program staff recommended asking either ICF staff (the authors of the draft) or BDCP staff how much the draft is likely to change. Chapter 2, sections in individual chapters on existing conditions, and the alternatives might not change.

The draft report for the [Independent Review of the BDCP Effects Analysis](#), Phase 2 – Chapter 5 could be ready by early next week. The final report will be posted at the end of next week.

4. Public Comment (For matters that were not on the agenda, but within subject matter jurisdiction of the Delta ISB.)

William Brooks, Sacramento River Delta Grown—Brooks expressed concern about the proposed Delta water conveyance and an increased need for power to pump additional water over the Tehachapi Mountains in Southern California estimating that this could require the construction of two new power plants. The required new power plants would release five times more environmental pollutants. Brooks handed out a [worksheet](#) that requires information about increases in environmental pollutants listed by the U.S. Environmental Protection Agency.

Norgaard responded by suggesting that BDCP Draft EIR/EIS chapters on air quality, energy, land use and agricultural be included as part of the Board's review.

5. Preparation for Next Delta ISB Meeting

The Board listed the following potential topics for its July 9-10 meeting:

- Review of the Delta Science Program (DSP)

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Canuel, Atwater, and Wiens will develop questions to ask about the DSP. DSP will also develop a list of questions and provide examples of other science programs that have been reviewed. The actual review will be done sometime after August.

- Continue discussion of review of the BDCP Draft EIR/EIS
- Discuss their workplan

This agenda item will become a regular feature of the Board's meetings.

Meyer also suggested that they consider discussing how to review all other Delta Science Programs.

11:20 a.m. – Adjourn